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DISH NETWORK L.L.C., ECHOSTAR
TECHNOLOGIES L.L.C. and
NAGRASTAR L.L.C.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DISH NETWORK L.L.C., a Colorado
Limited Liability Company, ECHOSTAR
TECHNOLOGIES L.L.C., a Texas Limited
Liability Company, and NAGRASTAR
L.L.C., a Colorado Limited Liability
Company,

Plaintiffs,

v.

SatFTA aka SERGEI ALEX ALEXEYEV,

Defendant.

CASE NO. 08 CV 01561 JF (PVT)

PROOF OF SERVICE

1 I am a resident of the State of California, over the age of eighteen years, and not a party to
2 the within action. My business address is DLA Piper US LLP, 153 Townsend Street, Suite 800,
San Francisco, California 94107-1957. On July 11, 2008, I served the within documents:

3 **ORDER FOR PUBLICATION OF SUMMONS; EXTENSION**
4 **OF TIME TO EFFECTUATE SERVICE**

5 **SUMMONS IN A CIVIL ACTION**

6 **PLAINTIFFS' COMPLAINT FOR: Violation of the Digital Millennium**
7 **Copyright Act, 17 U.S.C. § 1201(a)(1); Violation of the Digital Millennium**
8 **Copyright Act, 17 U.S.C. § 1201(a)(2); Violation of the Communications Act**
9 **of 1934, as amended, 47 U.S.C. § 605(a); Violation of California Penal Code**
10 **§ 593d(a); Violation of California Penal Code § 593e(a); Violation of**
11 **California Penal Code § 593e(b); DEMAND FOR JURY TRIAL**

- 12 ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set
13 forth below on this date before 5:00 p.m.
- 14 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
15 fully prepaid, in the United States mail at San Francisco, California addressed as
16 set forth below.
- 17 ☐ by personally delivering the document(s) listed above to the person(s) at the
18 address(es) set forth below.

19 Sergei Alex Alexeyev
20 558 Los Olivos Drive
21 Santa Clara, CA 95050

22 I am readily familiar with the firm's practice of collection and processing correspondence
23 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
24 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
25 motion of the party served, service is presumed invalid if postal cancellation date or postage
26 meter date is more than one day after date of deposit for mailing in affidavit.

27 I declare under penalty of perjury under the laws of the State of California that the above
28 is true and correct.

Executed on July 11, 2008, at San Francisco, California.

29 
30 Judith A. Fazackerley

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Plaintiffs,

v.

SatFTA aka SERGEI ALEX ALEXEYEV,

Defendant.

CASE NO. 08 CV 01561 JF (PVT)

**[PROPOSED] ORDER FOR
PUBLICATION OF SUMMONS
EXTENSION OF TIME TO EFFECTUATE
SERVICE**

1 Upon considering the application of Plaintiffs DISH NETWORK L.L.C., ECHOSTAR
 2 TECHNOLOGIES L.L.C. (collectively "EchoStar"), and NAGRASTAR L.L.C. ("NagraStar"),
 3 for an order directing service of the summons on Defendant SatFTA aka SERGEI ALEX
 4 ALEXEYEV ("Defendant") by publication, and the evidence presented in support thereof, and it
 5 satisfactorily appearing to the Court that Defendant cannot be served with reasonable diligence in
 6 any other manner provided in Rule 4 of the Federal Rules of Civil Procedure or Sections 415.10
 7 through 415.30 of the California Code of Civil Procedure, and it also appearing that a good cause
 8 of action exists against Defendant,

9 IT IS HEREBY ORDERED that:

10 1. Service of the summons in this action on Defendant SatFTA aka SERGEI ALEX
 11 ALEXEYEV shall be accomplished by publication in the *San Jose Mercury News*, a newspaper
 12 published and distributed in Santa Clara County, California, and designated as the newspaper
 13 most likely to give actual notice to the defendant. The publication shall be made once a week for
 14 four successive weeks as prescribed by California Code of Civil Procedure 415.50 and California
 15 Government Code section 6064.

16 2. A copy of the summons and complaint and of this Order for publication shall be
 17 mailed to Defendant SatFTA aka SERGEI ALEX ALEXEYEV at his last known address, and to
 18 any new addresses discovered during the term of publication.

19 3. The time within which to effectuate service is extended to a date 45 days after the
 20 entry of the order approving service by publication.

21 IT IS SO ORDERED.

22 Dated: 7/10/08
 23 _____


 24 UNITED STATES DISTRICT JUDGE
 25 Jeremy Fogel
 26
 27
 28